

# EXHIBIT 21

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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CHASOM BROWN; MARIA NGUYEN;  
WILLIAM BYATT; JEREMY DAVIS;  
and CHRISTOPHER CASTILLO,  
individually and on behalf  
of all other similarly  
situated,

Plaintiffs,

vs.

No. 5:20-cv-03664-LHK

GOOGLE LLC,

Defendant.

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CONFIDENTIAL

REMOTE VIDEOTAPED DEPOSITION OF BRIAN RAKOWSKI  
THURSDAY, AUGUST 19, 2021

Stenographically Reported by:

ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR

California CSR No. 9830

Job No. 741808

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10      GOOGLE LLC,

11 Defendant.

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14 REMOTE VIDEOTAPED DEPOSITION OF BRIAN RAKOWSKI,  
15 taken on behalf of the Plaintiffs, on Thursday,  
16 August 19, 2021, beginning at 9:00 a.m., and ending  
17 at 6:02 p.m., Pursuant to Notice, and remotely  
18 before me, ANDREA M. IGNACIO, CSR, RPR, CRR, CLR ~  
19 License No. 9830.

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1 R E M O T E A P P E A R A N C E S :

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1 R O M O T E A P P E A R A N C E S : (Cont.)

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4 COUNSEL FOR THE DEFENDANT:

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6 By: VIOLA TREBICKA, ESQ.

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9 23 Los Angeles, California 90017

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11

12 ALSO PRESENT: Matthew Gubiotti, Google

13 Evan Tsilimidos, Videographer

14 Vanessa Wheeler, Exhibit Technician

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1 normal browsing session. 17:37

2 Q And so whether -- 17:38

3 A So there's no specific -- there's no separate 17:38

4 controls. 17:38

5 Q And so whether it's a normal browsing session 17:38

6 or an Incognito browsing session, are there any 17:38

7 controls that allow someone to prevent Google from 17:38

8 collecting and using any information from that 17:38

9 browsing session in Chrome? 17:38

10 A In Chrome? 17:38

11 Outside of Chrome, I think this document 17:38

12 enumerates a whole bunch of controls. 17:38

13 Inside of Chrome, the settings are about what 17:38

14 is stored locally on your computer and not about what 17:38

15 is stored on the server. And there, there are, you 17:38

16 know, myriad controls for deleting things or removing 17:38

17 piecemeal or -- or, you know, the whole thing, whole 17:38

18 cloth. 17:38

19 So I think those are two different domains. 17:38

20 In Chrome, there are -- there are lots of controls for 17:39

21 deleting the data that's stored locally, which is what 17:39

22 is relevant to Chrome. 17:39

23 Q And are you aware of any controls that allows 17:39

24 a user to prevent all server logging by Google while 17:39

25 they're browsing in Incognito Mode? 17:39

2 MR. RICHARDSON: I'm at my time. 17:39

3 So at this point, I will just note for the 17:39

4 record that, you know, we have requested certain 17:39

5 documents in connection with this deposition that I 17:39

6 don't think have been provided. We received a 17:39

7 production just last night. So, you know, we've 17:39

8 repeatedly followed up. 17:39

9 I appreciate your time here today, 17:39

10 Mr. Rakowski. 17:39

11 I'm not closing the deposition, but that's a 17:39

12 discussion I'll have with counsel. That's not an 17:39

13 issue for you. 17:39

14 THE WITNESS: Okay. Thank you. 17:39

15 MS. TREBICKA: We may have a few questions on 17:39

16 redirect. So why don't we break for a few minutes, 17:39

17 and when we come back, I'll let you know if we do or 17:39

18 not. 17:40

19 THE VIDEOGRAPHER: The time is 5:40. We are 17:40

20 going off the record. 17:40

21 (Recess taken.) 17:40

22 THE VIDEOGRAPHER: The time is 5:57. We are 17:57

23 back on the record. 17:57

24     ///

17:57

25     ///

17:57

## 1 DECLARATION UNDER PENALTY OF PERJURY

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3 I, BRIAN RAKOWSKI, do hereby certify under  
4 penalty of perjury that I have read the foregoing  
5 transcript of my remote deposition, taken on  
6 August 19, 2021, that I have made such corrections  
7 as appear noted herein in ink; initialed by me;  
8 that my testimony contained herein, as corrected,  
9 is true and correct.

10

11 DATED this <sup>22</sup> day of october, 2021, at  
12 9:55am

13

DocuSigned by:

A handwritten signature in blue ink that reads "Brian Rakowski".

14

67BD5C6843B14B2...

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SIGNATURE OF WITNESS

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